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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,457	05/25/2001	Hiroshi Tanaka	Q64695	3821

7590 12/17/2003

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC  
2100 Pennsylvania Avenue, N.W.  
Washington, DC 20037-3202

EXAMINER

CHANNAVAJJALA, SRIRAMA T

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 12/17/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/864,457

Applicant(s)

TANAKA ET AL.

Examiner

Srirama Channavajjala

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Drawings*

1. The drawings filed on 5/25/2001 are approved by the Draftsperson under 37 CFR 1.84 or 1.152.

### *Priority*

2. Acknowledgment is made of applicant's claim for priority under 35 U.S.C. 119(a)-(d) based upon an application [SI.No.# 2000-156603] filed in Japan on 5/26/2000

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-6 rejected under 35 U.S.C. 102(a) as being anticipated by Coli et al., [hereafter Coli], US Patent No. 6018713.
4. As to Claims 1-24, Coli teaches a system which including 'a service supply method, in which a customer receiving services and at least one of a plurality of suppliers capable of supplying a service desired by the customer are linked, and supply of said desired service from said supplier to said customer is enabled' [see fig 2, col 9, line 4-22], Coli is directed to integrated system for ordering and cumulative results reporting of medical tests, more specifically, various service providers are connected

through network for providing required services to the customer or users or patient as detailed in fig 2, plurality of suppliers capable of supplying a service desired by the customer is corresponds to hospital, lab/subspecialty site, physician office, mco/indemnity insurer because these listed specifically provides various required services to the customers or patient(s), further these plurality of suppliers are connected to customer or patient through network that corresponds to customers are linked to various service suppliers; 'acquiring supplier information concerning least one of a time when each of said suppliers can supply said service' [fig 3, col 10, line 53-61], acquiring supplier information corresponds to user selecting specific physician's services, selecting lab options and selecting lab for tests based on selected diagnosis as detailed in fig 3, further it is noted that these service suppliers or service providers are integral part of Coli's teaching because Coli specifically teaches for selecting various service suppliers by the customers or patient or users as detailed above; 'a quality of service that each of said suppliers can supply' [col 10, line 30-36], quality of service that each of said suppliers can supply corresponds to lab site, insurer and physician performing specific unique tasks based on patient's diagnosis; 'a location of each of said suppliers, and a fee constituting good value for the supply of said service via a network' [col 13, line 1-9, line 21-29, fig 2], network corresponds to fig 2, element 212, 'acquiring customer information concerning said service desired by the said customer' [col 5, line 4-10], acquiring customer information corresponds to patient database because each patient is identified by specific patient ID as detailed in fig 13, element 1306; 'allowing the customer who desires the supply of said desired service

and the supplier capable of supplying the desired service to correspond with each other based on a plurality of items of said supplier information and said customer information acquired' [col 11, line 9-26, line 61-64, col 13, line 13-29], allowing the customer who desires the supply of desired service corresponds to customer can select desired physician and enter information , further physician selects the required information for example select lab tests, this including supplier information, customer information and related information is being not only selected, but also communicating among various service providers as detailed in col 11, line 9-26, fig 5-6, 'storing the acquired supplier information in a database' [col 6, line 57-60, col 10, line 19-21, fig 2, elements 202,204,206,208], storing acquired supplier information in a database is integral part of Coli's teaching because Coli specifically teaches various service providers information and communicating on network as detailed in fig 2.[Claim 2],

5. As to Claim 3, 6, the limitation of this claim have been noted in the rejection above Claim 1-2,4. In addition, Coli disclosed 'service is a service associated with medical attention or a service associated with care' [Abstract, fig 5-11].

6. As to Claim 5, the limitation of this claim have been noted in the rejection above Claim 1-2,4. In addition, Coli disclosed 'a database for storing said supplier information' [col 6, line 57-60, col 10, line 19-21, fig 2, elements 202,204,206,208], storing acquired supplier information in a database is integral part of Coli's teaching because Coli

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specifically teaches various service providers information and communicating on network as detailed in fig 2

### ***Conclusion***

#### **The prior art made of record**

a. US Patent No. 6018713

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

b. US Patent No. 6283761

c. US Patent No. 6256613

d. US Patent No. 6270456

e. US Patent No. 6385589

f. US Patent No. 6327658

g. US Patent No. 6003019

h. UK Patent No. 2368934A

i. OPIC 2183296

j. Kulkarni, VB, "A doctor on World Wide Web: a

biomedical wireless Internet application, Personal wireless communications, 2002

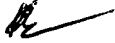
IEEE international conference December 2002, pp 182-186

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is (703) 308-8538. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time. The TC2100's Customer Service number is (703) 306-5631.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached on (703) 305-9790. The fax phone numbers for the organization where the application or proceeding is assigned are as follows:

703/746-7238	<b>(After Final Communication)</b>
703/872-9306	<b>(Offical Communications)</b>
703/746-7240	<b>(For Status inquiries, draft communication)</b>

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.

sc   
Patent Examiner.  
December 11, 2003.